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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,460	02/08/2001	Marcus J.H. Willems van Dijk	P 277120 P-172.010-US	3244

909 7590 01/21/2005
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EXAMINER

BALI, VIKKRAM

ART UNIT PAPER NUMBER

2623

DATE MAILED: 01/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/777,460	Applicant(s) WILLEMS VAN DIJK ET AL.	
	Examiner Vikram Bali	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2004.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
4a) Of the above claim(s) 12 and 13 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-11 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/24/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

In response to the amendment filled on 9/24/2004, all the amendment to the claims have been entered and the action follows:

1. Applicant's amendment, filed 9/24/2004, with respect to claims 3 and 5 have been entered. And, the rejection under 35 USC 112 of claims 3 and 5 has been withdrawn.

2. Applicant's arguments, see pages 4-6, filed 9/24/2004, with respect to the rejection(s) of claim(s) 1-11 under 35 USC 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found art.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over van den Brink (US 4778275), (herein after 275) in view of JP 6-302495, Shigeo (herein after Shigeo).

With respect to claim 1, 275 discloses object place on first position, measuring a displacement, removing the object, moving the object and the table relative to one another and placing the object at the required position, (see col. 7, lines 24-40, the mask "object" is at the first position and the system AS1 aligns the mask by positioning the mask at the required position, see col. 7 line 64 through col. 8 line 5), as claimed. However, he fails to explicitly disclose, removing the object from the first object table, as claimed. Shigeo teaches removing the object from the first object table, (see the constitution the reticle 12 is taken out "remove" and the stage is turned) as claimed. Therefore, it would have been obvious to one ordinary skilled in the art at the time of invention to combine the two references as they are analogous because they are

solving the similar problem of lithography. The object removing system of the Shigeo can be place in to the 275, in order to accurately align the reticle at a high speed.

With respect to claim 2, he further discloses, aligning a first mark on he object to a second, (see col. 7, lines 25-35) as claimed.

With respect to claim 3, he further discloses, second mark is located on the second object table, (see col. 7, lines 37-40, the mark P1 is located on the substrate) as claimed.

With respect to claim 4, he further discloses, mask is held by first object table, (see figure 3, mask MA is held by the first object table) as claimed.

With respect to claim 5, he further discloses, second mark is located on substrate, (see col. 7, lines 37-40, the mark P1 is located on the substrate) as claimed.

With respect to claim 6 and 7, he further discloses, the imaging means and the processing information about first position of the object together with information regarding the required position, (see col. 8, lines 10-35) as claimed.

With respect to claim 8, he further discloses, displacement deviation is rotational around an axis, (see col. 2, lines 23-27) as claimed.

With respect to claim 9, it is well known the lithography process is done while the mask is place using a vacuum-generating surface. Therefore, it would have been obvious to one ordinary skilled in he art at the time of invention to simply use the vacuum generating surface to hold the mask "object" as it is conventionally done in the art of lithography.

With respect to claim 10, he further discloses, the radiation source, (see col. 8, lines 10-15) as claimed.

Claim 11 is rejected for the same reasons as set forth in the rejection of claim 1, because claim 11 is claiming subject matter similar to claim 1.

Response to Arguments

4. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vikkram Bali whose telephone number is 703.305.4510. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on 703.308.6604. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Vikkram Bali
Primary Examiner
Art Unit 2623

vb
January 18, 2005